

partnership, firm, or individual and to hold absolutely or in trust for any of the purposes of the corporation any property, real, personal, or mixed, necessary or convenient for attaining the objects and carrying into effect the purposes of the corporation, subject, however, to applicable provisions of law of any State (A) governing the amount or kind of property which may be held by, or (B) otherwise limiting or controlling the ownership of property by, a corporation operating in such State;

(8) to transfer, convey, lease, sublease, encumber, and otherwise alienate real, personal, or mixed property;

(9) to borrow money for the purposes of the corporation, issue bonds therefor, and secure the same by mortgage, deed of trust, pledge, or otherwise, subject in every case to all applicable provisions of Federal and State laws; and

(10) to do any and all acts and things necessary and proper to carry out the objects and purposes of the corporation.

(Pub. L. 85-530, § 4, July 18, 1958, 72 Stat. 371.)

§ 765. Membership

Eligibility for membership in the corporation and the rights, privileges, and designation of classes of members shall be determined as the constitution and bylaws of the corporation may provide but in no case shall eligibility for all classes of membership include persons who did not serve honorably in the armed forces of the United States during the period beginning April 6, 1917 and ending November 11, 1918.

(Pub. L. 85-530, § 5, July 18, 1958, 72 Stat. 372.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 761, 767 of this title.

§ 766. Governing authority; composition; form; meeting places

(a) The supreme governing authority of the corporation shall be the national convention thereof, composed of such officers and elected representatives from the several States and other local subdivisions of the corporate organization as shall be provided by the constitution and bylaws, each of such duly elected representatives to be entitled to one vote at such national convention. The form of the government of the corporation shall always be representative of the membership at large and shall not permit the concentration of the control thereof in the hands of a limited number of members or in a self-perpetuating group not so representative. The meetings of the national convention may be held in any State or Territory or in the District of Columbia.

(b) Each member of the corporation, other than associate or honorary members, shall have the right to one vote on each matter submitted to a vote at all other meetings of the members of the corporation.

(Pub. L. 85-530, § 6, July 18, 1958, 72 Stat. 372.)

§ 767. Board of administration

(a) Governing period

During the intervals between the national convention, the board of administration shall be

the governing board of the corporation and shall be responsible for the general policies, programs, and activities of the corporation.

(b) Initial board

Upon the enactment of this chapter the membership of the initial board of administration of the corporation shall consist of such of the following present members of the board of administration of the Veterans of World War I of the United States of America, Incorporated (the corporation described in section 778 of this title) as qualify for membership under section 765 of this title and who are qualified members of said board of administration, to wit: Harlan W. Barnes, Lewis Brake, Fred J. Hollenbeck, Reginald H. Murphy, Junior, Stanton L. Smiley, Catherine Sawyer, Emerson R. J. Follett, M. George Deutsch, Patrick F. O'Connor, Charles L. Gore, Arch MacIntyre, G. Edwin Slater, John E. Erickson, A. H. Ohlsen, and Arthur G. Estes.

(c) Election

Thereafter, the board of administration of the corporation shall consist of not less than seven members elected in the manner and for the term prescribed in the constitution and bylaws of the corporation.

(Pub. L. 85-530, § 7, July 18, 1958, 72 Stat. 372.)

REFERENCES IN TEXT

Enactment of this chapter, referred to in subsec. (b), means enactment of Pub. L. 85-530, which was enacted July 18, 1958.

§ 768. Officers

The officers of the corporation shall be a national commander, a national senior vice commander, a national junior vice commander, a national quartermaster, a national adjutant (which latter two offices may be held by one person), a national judge advocate, nine regional vice commanders, and such other officers as may be prescribed in the constitution and bylaws. The officers of the corporation shall be selected in such manner and for such terms and with such duties and titles as may be prescribed in the constitution and bylaws of the corporation.

(Pub. L. 85-530, § 8, July 18, 1958, 72 Stat. 373.)

§ 769. Principal office; territorial scope of activities; agent for service of process

(a) The principal office of the corporation shall be located in Washington, District of Columbia, or in such other place as may be determined by the board of administration; but the activities of the corporation shall not be confined to that place, but may be conducted throughout the various States, the District of Columbia, and Territories and possessions of the United States.

(b) The corporation shall have in the District of Columbia at all times a designated agent authorized to accept services of process for the corporation; and notice to or service upon such agent, or mailed to the business address of such agent, will be deemed notice to or service upon the corporation.

(Pub. L. 85-530, § 9, July 18, 1958, 72 Stat. 373.)

§ 770. Distribution of income or assets to members; loans

(a) No part of the income or assets of the corporation shall inure to any of its members or officers as such, or be distributed to any of them during the life of the corporation or upon its dissolution or final liquidation. Nothing in this subsection, however, shall be construed to prevent the payment of compensation to officers of the corporation or reimbursement for actual necessary expenses in amounts approved by the board of administration of the corporation.

(b) The corporation shall not make loans to its officers or employees. Any member of the board of administration who votes for or assents to the making of a loan or advance to an officer or employee of the corporation, and any officer who participates in the making of such a loan or advance, shall be jointly and severally liable to the corporation for the amount of such loan until the repayment thereof.

(Pub. L. 85-530, § 10, July 18, 1958, 72 Stat. 373.)

§ 771. Nonpolitical nature of corporation

The corporation and its officers and agents as such shall not contribute to or otherwise support or assist any political party or candidate for public office.

(Pub. L. 85-530, § 11, July 18, 1958, 72 Stat. 373.)

§ 772. Liability for acts of officers and agents

The corporation shall be liable for the acts of its officers and agents when acting within the scope of their authority.

(Pub. L. 85-530, § 12, July 18, 1958, 72 Stat. 374.)

§ 773. Prohibition against issuance of stock or payment of dividends

The corporation shall have no power to issue any shares of stock or to declare or pay any dividends.

(Pub. L. 85-530, § 13, July 18, 1958, 72 Stat. 374.)

§ 774. Books and records; inspection

The corporation shall keep correct and complete books and records of account and shall keep minutes of the proceedings of its national convention and board of administration. All books and records of the corporation may be inspected by any member, or his agent or attorney, for any proper purpose, at any reasonable time.

(Pub. L. 85-530, § 14, July 18, 1958, 72 Stat. 374.)

§ 775. Repealed. Pub. L. 88-504, § 4(27), Aug. 30, 1964, 78 Stat. 637

Section, Pub. L. 85-530, § 15, July 18, 1958, 72 Stat. 374, related to audit of financial transactions and report of such audit to Congress. See sections 1101 to 1103 of this title.

§ 776. Annual report

On or before March 1 of each year the corporation shall report to the Congress on its activities during the preceding fiscal year. Such report may consist of a report on the proceedings of the national convention covering such fiscal year.

(Pub. L. 85-530, § 16, July 18, 1958, 72 Stat. 374; Pub. L. 88-105, § 2, Aug. 27, 1963, 77 Stat. 130.)

AMENDMENTS

1963—Pub. L. 88-105 struck out provisions which prohibited the report from being printed as a public document.

CROSS REFERENCES

Printing of proceedings of national encampments as House documents, see section 1332 of Title 44, Public Printing and Documents.

§ 777. Exclusive right to name, emblems, seals, and badges

The corporation and its subordinate divisions shall have the sole and exclusive right to use the name "Veterans of World War I of the United States of America, Incorporated". The corporation shall have the exclusive and sole right to use, or to allow or refuse the use of, such emblems, seals, and badges as it may legally adopt, and such emblems, seals, and badges as have heretofore been used by the Ohio corporation described in section 778 of this title and the right to which may be lawfully transferred to the corporation.

(Pub. L. 85-530, § 17, July 18, 1958, 72 Stat. 374.)

CROSS REFERENCES

Penalty for unauthorized manufacture, reproduction, or sale of badges or emblems of veterans' organizations, see section 705 of Title 18, Crimes and Criminal Procedure.

§ 778. Acquisition of assets and liabilities of existing corporation

The corporation may acquire the assets of the Veterans of World War I of the United States of America, Incorporated, a corporation organized under the laws of the State of Ohio, upon discharging or satisfactorily providing for the payment and discharge of all of the liability of such corporation and upon complying with all laws of the State of Ohio applicable thereto.

(Pub. L. 85-530, § 18, July 18, 1958, 72 Stat. 375.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 767, 777 of this title.

§ 779. Dissolution or liquidation; disposition of property

The national convention may, by resolution, declare the event upon which the corporate existence of the organization is to terminate and provide for the disposition of any property remaining to the corporation after the discharge or satisfaction of all outstanding obligations and liabilities. A duly authenticated copy of such resolution shall be filed in the office of the United States District Court for the District of Columbia. Upon the happening of the event thus declared, and upon the filing of a petition in said United States District Court reciting said facts, said court shall take jurisdiction thereof, and upon due proof being made the court shall enter a decree which shall be effectual to vest title and ownership in accordance with the provisions of such resolution.